



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/625,080	07/25/2000	Stephen J. Brown	HERO-1-1097

25315
BLACK LOWE & GRAHAM
816 SECOND AVE.
SEATTLE, WA 98104

RECEIVED
MAY 15 2002

Time Received
Black Lowe & Graham PLLC

CONFIRMATION NO. 6262
ABANDONMENT/TERMINATION
LETTER



OC000000008066827

Date Mailed: 05/09/2002

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 09/13/2000.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

A copy of this notice **MUST** be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

DOCKETED
CF 5-21-02

Action: not a Abandon

Due Dates: none

File Inaction

mg fr. 5/24/02

EXHIBIT A



EXHIBIT B

4 PAGES

Attorney Docket: HERO-1-1097

Filed by: (MSS/MJF)

Dated: 11/03/2000

Sent via: First Class Mail

Re: Response to Notice to File Missing Parts (dated 9/13/00)

Serial No.: ~~09/160,970~~ 09/625,080

Title: Aggregating and pooling information in a communication system with feedback

DOCKETED
MJF
Date 11-16-00

Transmittal Letter (1 pg)

Copy of Notice to File Missing Parts (1 pg)

Copy of Declaration from Parent Case (2 pgs)

Check No. 3258 (\$65 surcharge fee)

Return Post Card



Commissioner for Patents, BOX MISSING PARTS, Wash., D.C. 20231
Please acknowledge the receipt of the above by applying the OFFICIAL
PATENT OFFICE date stamp on this card and mailing it.

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JUN 17 2003

OFFICE OF PETITIONS



BOX MISSING PARTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: S. Brown Attorney Docket No. HERO-1-1097
Serial No: ~~09/160,970~~ 09/625,080 Group Art Unit: 2761
Filed: ~~September 25, 1998~~ 07/25/00 Examiner: G. Morgan
Title: AGGREGATING AND POOLING INFORMATION IN A
COMMUNICATION SYSTEM WITH FEEDBACK

TRANSMITTAL LETTER FOR MISSING PARTS

TO THE COMMISSIONER FOR PATENTS:

RECEIVED

JUN 17 2003

Enclosed with this transmittal letter are the following papers:

OFFICE OF PETITIONS

1. Copy of Notice to File Missing Parts dated 9/13/00;
2. Copy of Declaration from Parent Case (Serial Number 09/160,970);
3. Check No. 3258 in the amount of \$65 (surcharge fee); and
5. Return postcard.

Respectfully submitted,

BLACK LOWE & GRAHAM^{PLLC}

Michael S. Smith
Registration No. 39,563
Direct Dial: 206.749.9888

CERTIFICATE OF MAILING

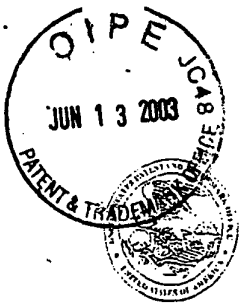
I hereby certify that this communication is being deposited with the United States Postal Service via first class mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: Commissioner for Patents, BOX MISSING PARTS, Washington, D.C., 20231.

11/3/00

Date of Deposit

Michelle J. Funston

BLACK LOWE & GRAHAM^{PLLC}



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20531
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/625,080	07/25/2000	Stephen J. Brown	HERO-1-1097

Michael S. Smith
Black Lowe & Graham PLLC
816 2nd Avenue
Seattle, WA 98104

FORMALITIES LETTER



Date Mailed: 09/13/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

A copy of this notice MUST be returned with the reply.

Wazene Merso
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



BLACK LOWE & GRAHAM PLLC
GENERAL ACCOUNT II
816 2ND AVE. 206-621-8200
SEATTLE, WA 98104

KEYBANK NATIONAL ASSOCIATION
SEATTLE, WASHINGTON 98104
1-800-KEY2YOU

3258

19-57
1250 163

11/2/2000

PAY TO THE ORDER OF US Patent & Trademark Office

**65.00

\$

Sixty-Five and 00/100*****

DOLLARS

US Patent & Trademark Office
2900 Crystal Drive
Arlington, VA 22202-3503

HERO.11097

MEMO

MP

⑈003258⑈ ⑆125000574⑆ 471631007583⑈

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11/2/2000

3258
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EXHIBIT C

Attorney Docket: HERO-1-1097

Filed by: (MSS/MJF)

Dated: 07/25/2000

Sent via Express Mail No.: EL476437636US

Re: Continuation of Patent Application

Serial No.: 09/160,970

Title: Aggregating and pooling information in a communication system with feedback

Transmittal Letter (1 pg)

Application (spec 20 pgs, claims 5 pgs and abstract 1 pg)

Check No. 2493 (\$345 filing fee)

Copy of Assignment (1 pg)

Copy of Small Entity Statement (2 pgs)

Copy of Revocation and Power of Attorney from a commonly assigned patent (2 pgs)

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*DRAWINGS
2 SAFTS*



DOCKETED

MJF

Date 8.7.00

PATENT APP

Assistant Commissioner for Patents, Box ~~CBA~~, Wash., D.C. 20231

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BLACK LOWE & GRAHAM^{PLLC}

816 Second Avenue • Seattle, Washington 98104
206.381.3300 • Fax: 206.381.3301 • www.blacklaw.com

EXHIBIT D

April 10, 2001

U.S. Patent & Trademark Office
Attn: Janice Burse
Customer Service Center
Washington, D.C. 20231

Michelle J. Funston
Email: funston@blacklaw.com

Re: AGGREGATING AND POOLING INFORMATION IN A
COMMUNICATION S YSTEM WITH FEEDBACK

Our Ref: HERO-1-1097
Serial Number: 09/625,080
Filed: July 25, 2000

Dear Ms. Burse:

Pursuant to our telephone conversation of today, I am enclosing our response to Notice to File Missing Parts in the above-referenced patent application.

We filed our notice to File Missing Parts with your office on November 3, 2000. However, we recently noticed that at the time of filing, we inadvertently made reference to the "parent application serial number" (09/160,970) rather than the continuation application serial number (09/625,080) on our Transmittal Letter for Missing Parts. I have enclosed a copy of the documents filed on November 3, 2000 for your reference. (See corrections made on the Transmittal Letter).

Please advise our office if you require further documentation to correct this error. Our office number is 206-381-3300 and our fax number is 206-381-3301.

Thank you very much for your cooperation.

Very truly yours,

BLACK LOWE & GRAHAM^{PLLC}

Michelle J. Funston
Patent Paralegal

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JUN 17 2003

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Technology
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Litigation

Enclosed:
As noted.

HERO-1-1097L4